

**PETITION REQUEST – Instructional Materials Funds Realignment Program (IMFRP)**PR-1 (2/03) <http://www.cde.ca.gov/waiver/>

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Send Original plus one copy to:

Waiver Office, California Department of Education  
1430 N Street, Suite 5602  
Sacramento, CA 95814

**Faxed originals will not be accepted!**

						CDS CODE							
LEA:						Contact/recipient of approval/denial notice:						Contact Person's E-Mail Address:	
Address:						City:						Zip	
												Phone (and extension, if necessary): (    )    -    x	
												Fax Number: (    )    -	
Period of Request: (month/day/year)						Local Board Approval Date: (Required)						Date of Public Hearing: (Required)	
From:						To:							
<b>LEGAL CRITERIA</b>													
<p><b>1. Under the authority of the petition process, E.C. 60421(d) and E.C. 60200(g) this district requests the State Board of Education to authorize the use of any “instructional materials allowances” for the purchase of other instructional materials as listed:</b></p> <p>Brief description: publisher name, grade level, edition, and price list of the materials to be purchased and total amount of instructional materials allowances to be spent in this manner: (If insufficient space add to attached narrative)</p>													
<p><b>2. Public Hearing Requirement.</b> A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the petition request. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.</p> <p><b>How was the required public hearing advertised?</b></p> <p><input type="checkbox"/> Notice in a newspaper? <input type="checkbox"/> Notice posted at each school? <input type="checkbox"/> Other: _____ (please list)</p>													
<p><b>3. Certification by Local Board for Petition to Purchase Other Instructional Materials with “Instructional Materials Allowances”</b></p> <p>In submitting this petition to purchase other materials with “instructional materials allowances,” the local governing board acknowledges its consideration or understanding of the following:</p> <ol style="list-style-type: none"> <li>1. Authorization of submission of the petition to the State Board of Education under <b>E.C 60421(d)</b>: <i>“Notwithstanding any other provision of law, pursuant to subdivision (g) of Section 60200, the State Board of Education may authorize a school district to use any state basic instructional materials allowance to purchase standards-aligned materials as specified within this part.”</i> (AB 1781, Statutes of 2002)</li> <li>2. Verifies that the local governing board has determined that the state-adopted materials do not promote the maximum efficiency of pupil learning in the district as specified under E.C. 60200(g).</li> <li>3. Verifies that the requested materials have been evaluated for consistency with the state curriculum frameworks and with the content standards that have been adopted by the State Board of Education, and that the materials are aligned and reasonably adhere to the standards in this subject. <ol style="list-style-type: none"> <li>a. If it is necessary to supplement these materials to fully cover the standards, please identify in an attached document how you intend to address this issue at the local level.</li> <li>b. If this evaluation this is not applicable to this request, please describe why based on the needs of a special population who are unable to use adopted materials which are available.</li> </ol> </li> </ol>													

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**Certification by Local Board for Petition to Purchase Other Instructional Materials with “Instructional Materials Allowances” (Continued)**

4. Verifies that the proposed materials have passed state or local level legal compliance review, or are exempt from such as review.
5. Verifies that the district is in full compliance with Education Code 60119.

AND, AS APPLICABLE:

*For instructional resources that have not been previously submitted for state adoption, we are aware that state-adopted materials are available in this subject area. We also acknowledge that the materials proposed for purchase have not been reviewed at the state level for educational content or consistency with state content standards or frameworks. Our agency has conducted a comprehensive evaluation of the materials proposed for purchase and believes that these resources best meet the needs of our students. Any weaknesses in meeting the standards found will be addressed as in our petition description.*

OR,

*For resources that have been previously submitted for state adoption but not adopted, our agency has considered the recommendations and comments made by the State Board of Education and Curriculum Development and Supplemental Materials Commission and or a Reviewer appointed by the chair of the Curriculum Commission in their evaluation of these resources. Any weaknesses in meeting the standards found will be addressed as in our petition description.*

**After considering the issues listed above, this local governing board has determined that the purchase of the proposed resources will promote the maximum efficiency of pupil learning in our agency, and has approved the submission of this petition to the State Board of Education.**

Signed: \_\_\_\_\_, School Board President of \_\_\_\_\_ (LEA)

**Other Required Attachments to the Petition Request Include:**

- Brief description, publisher name, grade levels, and price list of instructional materials to be purchased and total amount of “instructional materials allowances” to be spent in this manner (if not already included in Item 1. on the first page of the Petition Request);
- A narrative describing the reasons for the petition based on student needs; evidence of a well designed, Standards-Aligned Curriculum Plan, the local process for review of standards maps and framework alignment of this particular material, including a description of how weaknesses in these materials will be supplemented (if necessary);
- The latest local Board Resolution and Public Hearing requirement regarding compliance with E.C. 60119;
- Evidence of exemplary academic achievement or growth, by district, school(s), and where appropriate, by subject matter, grade level and significant subgroup (modify and update charts used for S-B Waivers in prior years)

**District or County Certification** – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: _____	Title: _____	Date: _____
<b>FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY</b>		
California Department of Education Recommendation: <input type="checkbox"/> Approve <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Deny		
Staff Name (type or print): _____	Staff Signature: _____	Date: _____
Unit Manager (type or print): _____	Unit Manager Signature: _____	Date: _____
Division Director (type or print): _____	Division Director Signature: _____	Date: _____
Deputy (type or print): _____	Deputy Signature: _____	Date: _____

# IMFRP - Petition Process - Instructions

There are now two referenced Education Codes in SB 1781, Statutes of 2002, as follows:  
**Education Code (EC) Section(s):**

***E.C 60421 (d)** “Notwithstanding any other provision of law, pursuant to subdivision (g) of Section 60200, the State Board of Education may authorize a school district to **use any state basic instructional materials allowance to purchase standards-aligned materials as specified within this part.**” (New Block Grant language from AB 1781, Statutes of 2002)*

***E.C. 60200(g)** “If a district board establishes to the satisfaction of the state board that the state-adopted instructional materials do not promote the maximum efficiency of pupil learning in the district, the state board shall authorize that district governing board to use its instructional materials allowances to purchase materials as specified by the state board, in accordance with standards and procedures established by the state board.” (Previously existing “petition language” for old IMF E.C.60200 (g) now referenced in the new Block Grant Bill as well)*

## **Background**

Assembly Bill 1781, statutes of 2002, established the Instructional Materials Funding Realignment Program (E.C. 60420 et seq.) and amended E.C. 60240, which continues (and changes) the Instructional Materials Fund. This “block grant” will be replacing both the “old” Instructional Materials Fund (E.C. 60240 et seq.) and the Schiff-Bustamante Fund (E.C. 60450 et seq.). Both of these fund sources are being eliminated on June 30, 2002, although districts may spend carryover for an additional two years under the “OLD” rules for each.

The State Board of Education (SBE) has previously had a Waiver Policy (very restrictive) for the expenditure of Schiff-Bustamante funds, and a separate Petition Policy for the expenditure of IMF funds.

The recent experiences of districts in bringing waivers and petitions to the State Board is that the Board is getting more restrictive rather than less. One of the newer concerns has been that a district show “exemplary achievement” or “significant growth” in the subject areas and grade levels where the Petition will apply (more like the stricter interpretation of the “waiver process).

The new Block Grant Fund also appears to continue a “petition process” for local educational agencies through two references: E.C. 60421(d), (new language); and E.C. 60200(g), (Statutes last modified in 1999).

This language would imply that the petition process may be used by districts for grade levels K-8 to request the SBE to authorize the use of any of the above “instructional materials allowances” for the purchase of “other” instructional materials, provided the district has established **“that the state-adopted instructional materials do not promote the maximum efficiency of pupil learning in the district”** and that the district proves that the materials will also be “standards-aligned.”

It is in your best interest to present the Petition to the State Board of Education as a **prospective request** (not retroactive) for the purchase of the standards aligned (non adopted).

**The following actions should be taken at the local level and documented in a written narrative by the district before requesting the petition:**

1. Through the process established by the local board for instructional materials adoption process and based on the needs of the schools and students in the district show the implementation of a well designed, Standards-Aligned Curriculum Plan that best promotes the maximum efficiency of pupil learning in the district.
  - The goals and objectives in the subject area and information on how the goals were developed.
  - Information describing the student population that will be using the proposed resources: e.g., relevant test scores, ethnic distribution, socio-economic data, participation in specialized or categorical programs a comparison of the proposed resources with state adopted programs identifying differences and describing why the state adopted resources do not promote the maximum efficiency of pupil learning in the district;
  - A description of the process by which these proposed resources were evaluated for standards alignment. (See item 2., below for more suggestions on this section);
  - The relevant projected timeline for the purchase of the proposed resources, the fund source (current year or carryover), and the total amount requested to be spent on the requested materials; and
  - The plans for staff development for teachers regarding the use of the resources, how teachers will use the resources.
2. Through this comprehensive evaluation process, choose instructional materials that will promote the maximum efficiency of pupil learning in the district. This process will include as applicable:
  - Verify that the materials are consistent with the state Curriculum Frameworks;
  - Verify that where the State Board of Education has adopted Content Standards, that the materials are aligned sufficiently with and reasonably adhere to these standards. Standards Maps for each grade level for the proposed instructional materials should be thoroughly reviewed by the committee for this purpose.
  - Where the review of the standards maps for the proposed instructional materials against the state adopted Content Standards show gaps, develop a plan to remedy these weaknesses in the implementation of the material at each grade.
  - For the purchase of specialized materials to help “bridge the gaps” between the adopted texts and the abilities of pupils, due to their handicapping condition or other specialized needs, consideration of the individual educational needs of these pupils. In these cases, although adopted materials may be “available,” the students require other materials to “bridge the gaps” in learning ability.
3. Establish that the materials are in compliance with *E.C. 60040 through 60048 et seq.* and the SBE’s Standards for Evaluation of Instructional Materials with respect to Social Content, as determined by a state Legal and Social Compliance review conducted by the California Department of Education (list available at <http://www.cde.ca.gov/cfir/lc/> by publisher or title materials. If there has been no statewide review, the district may conduct a local level legal compliance review. In addition, some materials are exempt from legal compliance and may also be requested and purchased after a petition approval.

**Your Petition Request is now ready to go to your local Board for approval.**

1. The Local Board must hold a “properly noticed public hearing” on the submission of the petition to the State Board of Education, and the proposed purchase and use of the

“other” standards aligned instructional materials. The Board must also approve the **“Certification by Local Board for Petition to Purchase these Instructional Materials with “Instructional Materials Allowances”** to be signed by the local board president (this Certification is now part of the Petition Request form itself).

2. Include the **Required Other Attachments** to the Petition Request:

- Brief description, publisher name, grade levels, and price list of instructional materials to be purchased and total amount of “instructional materials allowances” to be spent in this manner (if not already included in item 1. on the first page of the Petition Request);
- A narrative describing the reasons for the petition, based on student needs; evidence of a well designed, Standards-Aligned Curriculum Plan, the local process for review of standards maps and framework alignment of this particular material, including a description of how weaknesses in these materials will be supplemented (if necessary); verification of Legal and Social compliance.
- A copy of the latest district or COE local Board Resolution regarding compliance with E.C. 60119 and documentation of those Public Hearing Requirements;
- Evidence of exemplary academic achievement or growth, by district, school(s), and where appropriate, by subject matter, grade level, and significant subgroup. Modify and update as appropriate, the achievement charts used for Schiff-Bustamante Waivers in prior years, available at:  
<http://www.cde.ca.gov/waiver/policies.htm>

**Send the entire package to:**

Waiver Office  
California Department of Education  
1430 N Street, Suite 5602  
Sacramento, CA 95814

**Petitions, if approved by the State Board of Education will be:**

- For a limited period of time (as specified in “period of request”), and will not become permanent;
- For a specified amount of expenditure of “instructional materials allowances” dollar amount and percentage;
- For a specified program(s) or resource(s), at specific grade levels and copyright years.